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Atty. Dkt. No. P64075US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: STRAUSS et al.

Appl. No.: 09/424,244

Group Art Unit: 1645

Filed: April 11, 2000

Examiner: HINES, J.

For: A METHOD FOR IDENTIFYING ACTIVE SUBSTANCES

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TRANSMITTAL

Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

Sir:

Transmitted herewith is Response To Notice To Comply With Sequence Rules, including copy of Notice, Sequence Listing, computer readable form, and Amendment, and Petition for extension of time in the above-captioned application.

\_\_\_\_ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a statement previously submitted.

XX Charge Deposit Account No. 06-1358 the \$ 400 fee for: extension of time.

XX If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)-(d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358.

JACOBSON HOLMAN PLLC  
400 Seventh Street, N. W.  
Washington, D.C. 20004-2201  
Atty. Dkt. No.: P64075US0  
Date: July 18, 2002  
WEP:rdt

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By: 

William E. Player  
Registration No. 31,409



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**RESPONSE TO NOTICE TO COMPLY WITH SEQUENCE RULES**

Commissioner of Patents  
Washington, D.C. 20231

Sir:

In accordance with the Notice to Comply with sequence rules, a copy of which is attached, hereto, submitted herewith are:

- (1) Computer Readable Form (CRF) of Sequence Listing; and
- (2) Paper copy of Sequence Listing.

The content of the computer readable form and the paper copy are the same and, where applicable, include no new matter, as required by 37 CFR § 1.821(e), § 1.821(f), § 1.821(g), § 1.825(b), or 1.825(d).

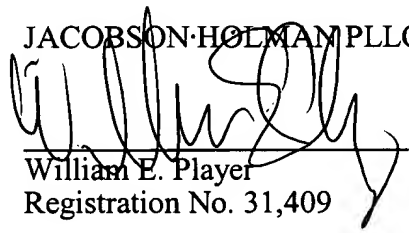
An amendment entering the Sequence Listing is filed, concurrently herewith.

Favorable action is requested.

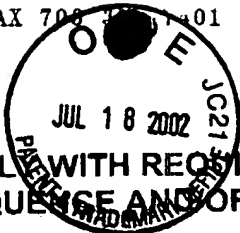
Respectfully submitted,

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Atty. Docket No.: P664075US0  
Date: July 18, 2002  
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R:\HOME\thomas\2002\July\P64075rsp.wpd

Application No.: 09/424,244

# NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- BEST AVAILABLE COPY**
- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
  - ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
  - ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
  - ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
  - ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
  - ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
  - ☐ 7. Other: \_\_\_\_\_

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## Applicant Must Provide:

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- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

Patent Software Program Support

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**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**